

REMARKS:

Status of claims and amendments

Claims 1, 3-5, and 7-9 are pending in the application. In the Office Action dated August 22, 2006, the Examiner rejected claims 1, 3-5, and 7-9 as being anticipated by Kiso et al. These rejections are respectfully traversed as set forth below.

In this amendment, new claims 10-11 have been added to more clearly define the subject matter which Applicant regards as the invention. No new matter is added; see at least paragraph [0013] of the specification. Please note that these claims were previously presented in the amendment of May 8, 2006; however they were erroneously numbered claims 8-9, and were not addressed in the Office Action dated August 22, 2006.

The §102(b) rejections: Kiso et al.

The Examiner indicated that “Kiso et al disclose...a reservoir tank (26)...integrally formed with a cylinder (see Fig 4) block” (Page 2 of the Office Action dated August 22, 2006, subheading 3, second paragraph). Kiso et al. disclose a cylinder block 10 with a cylinder head 11 disposed thereon (column 2, lines 33-34, see also Fig. 1). “The cylinder head 11 is formed with...a chain case 12” (column 2, lines 49-50, see also Fig. 2). A “body 21 [is] received in a bore 13, which is formed [in] the chain case 12” (column 2, lines 56-60, see also Fig. 2). “[A]n oil reservoir 26 is defined by the bore 13 of the chain case 12 and the body 21” (column 2, lines 67-68). More specifically, “the oil reservoir 26 is formed between the chain case 12 and the body 21” (column 4, lines 51-52).

Kiso’s oil reservoir 26 is defined by the surfaces of two different elements: chain case 12 and body 21. Neither of these elements is cylinder block 10, or is even disposed in cylinder block 10 (see especially Fig. 1). Kiso et al. therefore does not disclose or suggest “said reservoir tank is integrally formed with a cylinder block” (independent claims 1 and 5), nor “the reservoir tank is integrally cast as a hole in the cylinder block” (new claims 10-11). Each of claims 3-4 and 7-11 depends from either claim 1 or claim 5. All pending claims are thus patentable over Kiso et al.

Conclusions

In view of the foregoing, Applicant believes all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance is respectfully requested.

Authorization is granted to charge any outstanding fees due at this time for the continued prosecution of this matter, or credit any overpayment, to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (matter no. 060945-0181).

Respectfully submitted,



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